

Notice of Allowability

Application No.

10/618,952

Examiner

Tuan C. To

Applicant(s)

MURPHY, MORGAN D.

Art Unit

3663

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 08/8/2207.
2. ☒ The allowed claim(s) is/are 5, and 6.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

Patent Examiner,
[Signature]
TUAN C TO

EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with J. Gordon Lewis on 08/24/2007:

In claim 5, lines 10-13, after "occupant weight", ";and overload means for limiting upward movement of said seat mounting bracket with respect to said floor bracket to prevent said seat from becoming detached from said floor bracket" has been deleted.

On line 10, after "occupant weight", --,wherein said first lever arm is rotatably coupled to said mounting bracket and said second lever arm is rigidly secured to said floor bracket, and wherein said first and second lever arms are interconnected at an active joint adjacent said jaws and a passive joint that limits relative displacement therebetween; and overload means for limiting upward movement of said seat mounting bracket with respect to said floor bracket to prevent said seat from becoming detached from said floor bracket, said overload means including a vertically extending plate coupled to one of said brackets and spaced adjacent the other of said brackets for engagement thereof in response to a predetermined upward displacement of said seat.-
-has been inserted.

In claim 6, line 14, after "sensors", "." has been deleted. On the same line after "sensors", --, wherein said first lever arm is rotatably coupled to said mounting bracket and said second lever arm is rigidly secured to said floor bracket, and wherein said first and second lever arms are interconnected at an active joint adjacent said jaws and a passive joint that limits relative displacement therebetween.--has been inserted.

EXAMINER'S STATEMENT OF REASONS FOR ALLOWANCE

This communication is an Examiner's reasons for allowance in response to application filed on 08/8/2007, assigned serial 10/618,952 and titled "Frame-based occupant weight estimation apparatus having compliant load transfer mechanism."

The following is the Examiner's statement of reasons for the indication of allowable subject matter:

The applicant's amendment and arguments filed on 08/12/2004 have been fully considered. After carefully reconsidering the application and the applied prior art, the examiner has realized the application is patentably distinct from the prior art. The prior art are not deemed strong to make the application unpatentable.

The prior art closest to the subject matter of claims is the reference of Kajiyama (US 6841741B2). However, after carefully reconsidering the application in view of the cited prior art, the examiner has recognized that the cited prior art does not fairly suggest "first lever arm is rotatably coupled to said mounting bracket and said second lever arm is rigidly secured to said floor bracket, and wherein said first and second lever arms are interconnected at an active joint adjacent said jaws and a passive joint that

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limits relative displacement therebetween". None of the references has been found teaches or fairly suggests that limitation.

For that reasons the application is now set in a condition for allowance.

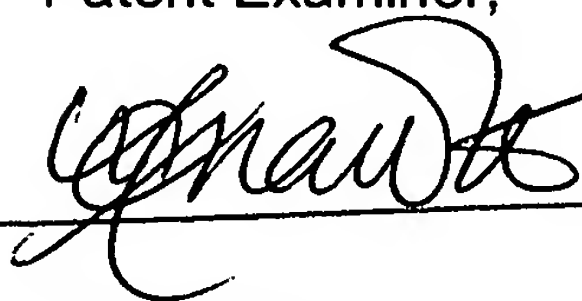
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tuan C To whose telephone number is (571) 272-6985. The examiner can normally be reached on from 8:00AM to 5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jack Keith can be reached on 571-272-6878.

The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Patent Examiner,

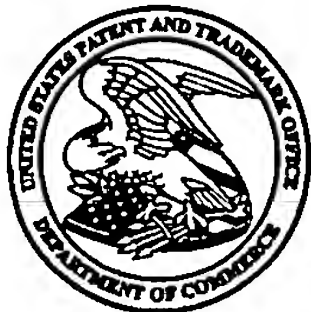
A handwritten signature in black ink, appearing to read 'Tuan C To', is written over a horizontal line.

Tuan C To

August 24, 2007

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APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
10618952	7/14/03	MURPHY, MORGAN D.	DP-309769

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EXAMINER

Tuan C. To

ART UNIT

PAPER

3663

20070824

DATE MAILED:

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner for Patents